



**PATENT**  
29985/01-041A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Jaydeep Y. Kokate et al. )

Serial No.: 10/043,051 )

Filed: January 9, 2002 )

For: Catheters with Fluorescent  
Temperature Sensors )

Group Art Unit: 3761 )

Examiner: Matthew J. Kremer )

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on April 16, 2004, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

  
Michael R. Hull

Reg. No. 35,902

Attorney for Applicant

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**  
APR 23 2004  
TECHNOLOGY CENTER R3700

Sir:

In response to the restriction requirement imposed in the Office Action mailed on March 19, 2004, applicants elect claims 1-48, with traverse (Group I). Applicants respectfully submit that the restriction requirement is improper as method claims 49-51 clearly recite the use of the catheters covered by claims 1-48. Thus, there is no burden on the Patent Office in examining all claims in this application. If there is any burden, it would be on the applicants who would have to pay the separate filing fee, issue fee and maintenance taxes on a separate patent for method claims 49-51. Thus, withdrawal of the restriction requirement is respectfully requested.

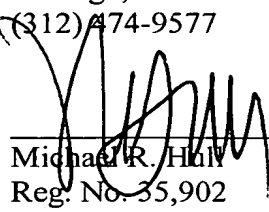
The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
(312) 474-9577

April 16, 2004

By:

  
Michael R. Hull  
Reg. No. 35,902